

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No.: 2:23-cv-01298-JLS-BFM

Date: April 15, 2025

Title: Todd R.G. Hill v. Board of Directors of Peoples College of Law, et al.

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Present: The Honorable Brianna Fuller Mircheff, United States Magistrate Judge

<u>Christianna Howard</u>	<u>N/A</u>
Deputy Clerk	Court Reporter / Recorder

Attorneys Present for Plaintiff:
N/A

Attorneys Present for Defendant:
N/A

Proceedings: **(In Chambers) Order Re: Plaintiff's Motion to Compel (ECF 261) and Defendant Spiro's Motion to Dismiss (ECF 263)**

The Court is in receipt of Plaintiff's Motion to compel compliance with Local Rule 7-3 and to address bad faith procedural misconduct. (ECF 261.) The Motion seeks an order compelling Defendants to "fully comply" with Local Rule 7-3 and for sanctions against Defendant Spiro for his "documented pattern of procedural non-compliance." (ECF 261 at 12.) Plaintiff supplemented his Motion with additional information. (ECF 264.) For the following reason, Plaintiff's Motion is **denied**.

As the Court has previously explained, Local Rule 7-3 is designed to provide the parties with an opportunity "to reach a resolution that eliminates the necessity for a hearing." L.R. 7-3. Nowhere in the Rule, however, is there a requirement that opposing counsel provide specific legal grounds or factual basis for the contemplated motion in writing prior to the meet and confer; it is sufficient that opposing counsel states the purpose of the requested meet and confer.

The emails attached to the Motion reflect a good faith effort by Defendants to fulfill the purpose of the Rule. Defendant Spiro, for example, emailed Plaintiff and informed him that he was contemplating filing a motion to dismiss lack of subject matter jurisdiction, for failure to state a cause of

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action and sought to arrange a date to meet and confer. (ECF 261 at 30-31.) Plaintiff, however, repeatedly refused to proceed unless Spiro provided specific information he requested. (See ECF 261 at 16-30; *see also* ECF 264 at 19-21 (demanding similar information from PCL’s counsel before he would agree to meet and confer).) And even after Spiro provided some of the requested information, Plaintiff refused to discuss Spiro’s contemplated motion. (See ECF 261 at 16-30 (Spiro providing some additional information via email); ECF 263 (Spiro’s Motion to Dismiss) at 2 (discussing compliance with Local Rule 7-3, including attempts to call Plaintiff).)

At bottom, the Court concludes that Plaintiff has not shown that any Defendant engaged in conduct designed to avoid compliance with Local Rule 7-3. Moreover, the Court does not believe that Defendant Spiro’s Motion to dismiss would have been avoided, even if he had provided the requested information. Accordingly, the Court does not find Defendant Spiro’s conduct sanctionable.¹ Plaintiff’s Motion (ECF 261) is therefore **denied**.

The Court is also in receipt of Defendant Spiro’s Motion to Dismiss Plaintiff’s Fourth Amended Complaint, filed on April 13, 2025. (ECF 263.) Plaintiff has filed his opposition. (ECF 266.) Defendant’s reply, if any, is due **no later than two weeks after service of the opposition**. The Court will take the matter under submission without oral argument as of the date Defendant’s reply is due.

¹ In his supplemental brief, Plaintiff attaches an additional email exchange with Defendant Spiro which he describes as “consistent with a pattern of procedural intimidation already documented.” (ECF 264 at 5, 23-26.) The Court notes, however, that it has never concluded that any Defendant’s conduct was in bad faith or intended to intimidate Plaintiff. (See ECF 213 (Interim Report and Recommendation) at 13-14 (concluding that Defendants complied with the spirit of Local Rule 7-3).)

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The hearing date, incorrectly set before District Judge Staton, is
ordered off calendar.

IT IS SO ORDERED.

cc: Todd R.G. Hill, pro se
Counsel of record

Initials of Preparer: ch